

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

| REQUEST FOR PATENT FEE REFUND | | | | | | | | | | |
|---|-----------------------------------|-----------------------------------|--|---------------|---|---|----|---|---|---|
| 1 Date of Request: <u>12/16/05</u> | | 2 Serial/Patent # <u>10904571</u> | | | | | | | | |
| 3 Please refund the following fee(s): | | 4 PAPER NUMBER | 5 DATE FILED | 6 AMOUNT | | | | | | |
| | Filing | | | \$ | | | | | | |
| | Amendment | | | \$ | | | | | | |
| | Extension of Time | | | \$ | | | | | | |
| | Notice of Appeal/Appeal | | | \$ | | | | | | |
| <u>1462</u> | Petition | | <u>9/30/05</u> | \$ <u>400</u> | | | | | | |
| | Issue | | | \$ | | | | | | |
| | Cert of Correction/Terminal Disc. | | | \$ | | | | | | |
| | Maintenance | | | \$ | | | | | | |
| | Assignment | | | \$ | | | | | | |
| | Other | | | \$ | | | | | | |
| | | | 7 TOTAL AMOUNT OF REFUND | \$ <u>400</u> | | | | | | |
| 8 TO BE REFUNDED BY: | | | | | | | | | | |
| 10 REASON: | | Treasury Check | | | | | | | | |
| | Overpayment | <u>X</u> | Credit Deposit A/C #: | | | | | | | |
| | Duplicate Payment | | 9 <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; text-align: center;">5</td><td style="width: 20px; text-align: center;">0</td><td style="width: 20px; text-align: center;">--</td><td style="width: 20px; text-align: center;">1</td><td style="width: 20px; text-align: center;">2</td><td style="width: 20px; text-align: center;">2</td></tr></table> | | 5 | 0 | -- | 1 | 2 | 2 |
| 5 | 0 | -- | 1 | 2 | 2 | | | | | |
| <u>X</u> | No Fee Due (Explanation): | | | | | | | | | |
| <u>PET DUE TO PTO ERROR</u> | | | | | | | | | | |
| | | | | | | | | | | |
| 11 REFUND REQUESTED BY: | | | | | | | | | | |
| TYPED/PRINTED NAME: <u>D WOOD</u> | | | TITLE: <u>ATTY</u> | | | | | | | |
| SIGNATURE: <u>[Signature]</u> | | | PHONE: <u>272 3231</u> | | | | | | | |
| OFFICE: <u>OP</u> | | | | | | | | | | |
| ***** THIS SPACE RESERVED FOR FINANCE USE ONLY: ***** | | | | | | | | | | |
| APPROVED: <u>[Signature]</u> | | | DATE: <u>12/19/05</u> | | | | | | | |

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



IFW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Francis L. Garing

Serial No.: 10/804,571

Filed: March 19, 2004

For: PLANTS AND SEEDS OF VARIETY
I116412

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: DEKA:319US

| | |
|---|--|
| CERTIFICATE OF MAILING 37 C.F.R. § 1.8 | |
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: MS Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date below: | |
| September 27, 2005 Date | <i>[Signature]</i> Robert E. Hanson |

I. PETITION UNDER 37 C.F.R. 1.53(e)(2) TO ACCORD FILING DATE AND
II. RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 C.F.R. 1.53(B)

MS PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice of Incomplete Nonprovisional Application Filed Under 37 C.F.R. § 1.53(b), dated March 3, 2005, Applicant hereby petitions under 37 C.F.R. 1.53(e)(2) for the office to accord a filing date of March 19, 2004, pursuant to 37 C.F.R. 1.53(b), and provide herewith the items requested in the Notice.

I. PETITION

In support hereof Applicant provides the following information:

Applicant filed the instant application on March 19, 2004. A Notice of Incomplete

Nonprovisional Application filed under 37 C.F.R. § 1.53(b) was mailed March 3, 2005,

10/03/2005 MAHRED1 00000027 10804571

04 FC:1462 400.00 OP
Adjustment date: 12/19/2005 AKELLEY
10/03/2005 MAHRED1 00000027 10804571
04 FC:1462 -400.00 OP
Repln. Ref: 12/19/2005 AKELLEY 0009172600
DAH:501212 Name/Number:10804571
FC: 9204 \$400.00 CR